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DIV. OF OIL, GAS & MINING  
CERTIFIED MAIL NO. 7001 2510 0007 5513 7048  
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### ASSUMPTION OF LIABILITY CERTIFICATE

**Obligee:** UTAH DEPT. OF NATURAL RESOURCES  
DIVISION OF OIL, GAS & MINING  
1594 W. NO. TEMPLE, STE. 1210  
BOX 145801  
SALT LAKE CITY, UT 84114-5801

**Principal:** PABCO BUILDING PRODUCTS, LLC, DBA INTERSTATE BRICK COMPANY  
(Fivemile Pass)

Effective April 2, 2005 this certificate assumes liability on Bond Number \_\_\_\_\_, executed and previously filed by National Fire Insurance Company, hereinafter referred to as the Company, in favor of the above-named Obligee.

This certifies that, in consideration of the agreements and covenants herein contained and other good and valuable consideration, Western Surety Company hereby assumes liability as surety under the above-described bond.

**By issuance of this Certificate, it is agreed:**

1. That liability of Western Surety Company under said bond (a) shall be subject to all of the terms, conditions, limitations and warranties contained in said bond and any amendment thereto or agreement between the Obligee and the Company affecting the same; and (b) shall in no event be greater than would have been the liability of the Company had this Certificate not been issued.
2. That all rights of the Company, which would have been available to the Company, by reason of its suretyship under the aforementioned bond, or otherwise, if this Certificate had not been executed, shall inure to the benefit of and be fully enforceable by Western Surety Company.
3. Signed and dated this 12<sup>th</sup> day of January, 2005.

**Western Surety Company**

By: Judy L. Maxwell  
Judy L. Maxwell, Attorney-in-fact